Remarks

Applicant has reviewed the Office Action dated as mailed June 2, 2008, and the documents cited therewith. After the above amendments have been made, the present application contains 1-7, 9-33, 55-58, 73, 76-89, 108-114, 132, and 134-141. Claims 1, 21, 55, 56, 73, 108, 132, and 138 have been amended. Claims 8, 34-54, 59-72, 74-75, 90-107, 115-131, and 133 have been cancelled.

Applicant's attorney wishes to thank the examiner for granting the interview on October 6, 2008 to discuss the proposed amendments to the claims in light of the cited documents of record in the present application. The reasons presented during the interview why the claims as amended are patentably distinguishable over the cited documents and warrant favorable action are discussed herein to provide a complete written statement as to the substance of the telephone interview pursuant to 37 C.F.R. §1.133 and MPEP §713.04. No exhibits were shown or demonstration conducted. Primarily claim 1 was discussed. The primary document discussed was Irdeto (WO 03/0526302).

Claim Rejections – 35 USC § 103

Claims 1–7, 9–14, 21–27, 31–36, 45–49, 54–60, 73, 75–76, 78–85, 90, 92–94, 100, 103–110, 112–114, 132, and 134–141 were rejected under 35 U.S.C. §103(a) as being unpatentable over WO 03/0526302 to Irdeto (hereinafter Irdeto) in view of U.S. Patent 6,598,162 to Moskowitz (hereinafter Moskowitz). This rejection is respectfully traversed.

Turning initially to claim 1, claim 1 has been amended to recite:

> "a formatter embodied in another data processing device associated with one of each of a plurality of different requesters or clients to decrypt the encrypted formatting data and to format the information content data in a predetermined format based on the decrypted formatting data, wherein the information content data is capable of being presented in a format other than the predetermined format at each of the plurality of different requesters or clients caused by at least one of different types of browsers being used by at least some of the plurality of different requesters or clients, different types of browser settings being used by at least some of the plurality of different requesters or clients, different types of display settings being used by at least some of the plurality of different requesters or clients, and insecurity of a communications network, channel or medium, and wherein the formatting data is encrypted and decrypted in response to at least one

key or password to prevent the associated information content data from being presented in the format other than the predetermined format at each of the plurality of requesters or clients to provide presentation integrity between the different requesters or clients despite differences in browsers, browser settings and display settings of at least some of the plurality of different requesters or clients and despite insecurity of the communications network, channel or medium, and wherein the plurality of different requesters or clients are involved in a situation together requiring presentation integrity to prevent any confusion, misunderstanding, delays in coordination or other adverse effects between each of the plurality of different requesters or clients involved in the situation."

Support for these amendments to claim 1 may be found in paragraphs [0002], [0003] and paragraph [0024]. One of the problems with the prior art as described in paragraphs [0002] and [0003] of the present application is that information content data may be accessed or presented in different formats other than a predetermined format at different requesters or clients because the different requesters or clients may be using different types of browsers, different browser settings, different display settings or defaults that may cause the information content to be presented at different requesters or clients in other formats than the predetermined format. There may also be insecurities associated with the communications network, channel or media that may cause the content data to be presented in other formats than the predetermined format. Accordingly, the information content data presented may be different or even contradictory and result in confusion, misunderstanding, delays in coordination and other possible adverse affects as recited in amended claim 1. The present invention overcomes these problems by encrypting the formatting data and decrypting the formatting data in response to at least one key or password to prevent the associated content data from being presented in other formats from the predetermined format at each different requester or client. Applicant respectfully submits that the documents of record show no recognition of the problem solved by the different embodiments of the present invention nor do the documents of record teach or suggest the solution to the problem as provided by the different embodiments of the present invention as recited in the claims.

The Office Action cited page 19, lines 16-20 and page 20, lines 22-29 of Irdeto in rejecting claims 1, 62, 132, and 138. Page 19, lines 16–33 of Irdeto recites:

"In Fig. 1, a content encryption system 1 is used to generate cryptographically protected data encoding content. The data can have been created on the same system 1, or have been received from a separate source. In any case, the data is arranged into messages. Each message is decodable by a decoder application on a client system 2. The term message refers to the unit of data that the encoder and decoder application use for data exchange. In one example, to be used throughout this description, each cryptographically protected message comprises an encrypted MPEG-4 access unit (AU) 3 (See Figs. 4, 5A and 5B). An access unit is an individually accessible portion of data within an elementary stream. An elementary stream is a consecutive flow of mono–media data from a single source entity to a single destination entity on the compression layer, the layer that translates between the coded representation of an elementary stream and its decoded representation and incorporates the decoders."

Page 20, lines 22–29, of Irdeto recite:

"In this embodiment, information is stored in the file with the access units, in a format enabling an appropriate interface on the client system 2 to retrieve and assemble the access unit (e.g. SL packets). This information also allows the client system 2 to pass the access unit through the appropriate decoder buffers and that the correct decoder application, after they have been read from file."

In reviewing Irdeto and the sections of Irdeto cited in rejecting claims 1, 62, 132, and 138, Applicant respectfully submits that there is no teaching or suggestion in Irdeto that the information content data is capable of being presented in a format other than the predetermined format at each of a plurality of different requesters or clients and that the formatting data is encrypted and decrypted in response to at least one key or password to prevent the associate information content data from being presented in the format other than the predetermined format at each of the plurality of requesters or clients to provide presentation integrity between the different requesters or clients.

On page 24 of Irdeto beginning at line 27 and continuing on page 25, Irdeto describes the contents of the header 16 pre-pended to the encrypted AU 13. In reviewing the table at the bottom of page 24 of Irdeto and the description of each of the elements of the header 16 on page 25 of Irdeto, Applicant respectfully submits that the header 16 of Irdeto does not include formatting data nor does Irdeto teach or suggest formatting data to prevent the associated information content data from being presented in a format other than the predetermined format at each of the plurality of requesters or clients to provide presentation integrity between the

different requesters or clients as required by the present invention as recited in amended claim 1. Additionally, there is no teaching or suggestion in Irdeto that the information content data is capable of being presented in a format other than the predetermined format at each of a plurality of different requesters or clients as also required by the present invention as recited in amended claim 1. Further, Irdeto does not teach or suggest that the plurality of different requesters or clients are involved in a situation together requiring presentation integrity to prevent any confusion, misunderstanding, delays in coordination or other adverse affects between each of the plurality of different requesters or clients involved in the situation as provided by the embodiment of the present invention as recited in amended claim 1.

Moskowitz was cited for teaching encryption/decryption of formatting data. As discussed above, Irdeto has other defects that are not taught or suggested by Moskowitz. For example, Moskowitz also does not teach or suggest that the information content data is capable of being presented in a format other than the predetermined format at each of a plurality of different requesters or clients as provided by amended claim 1. Moskowitz also does not teach or suggest that the plurality of different requesters or clients are involved in a situation together requiring presentation integrity to prevent any confusion, misunderstanding, delays in coordination or other adverse affects between each of the plurality of different requesters or clients involved in the situation as provided by the embodiment of the present invention as recited in amended claim 1. For all of the reasons discussed above, Applicant respectfully submits that claim 1, as amended, is patentable distinguishable over Irdeto and Moskowitz, and reconsideration and withdrawal of the 35 U.S.C. §103 rejection of amended claim 1 is respectfully requested.

Turning now to the rejection of claim 2-7 and 9-14 as being unpatentable over Irdeto in view of Moskowitz, these claims recite additional features which further patentably distinguish over Irdeto and Moskowitz. For example, claim 3 recites:

> "wherein the formatter formats the information content data into one of a plurality
> of predetermined formats, each predetermined format corresponding to a different
> version of the information content data for presentation to different receivers or
> audiences, each predetermined format being associated with a different key,
> wherein the formatting data is encryptable to provide a selected one of the
> predetermined formats when applied to the information content data in response
> to applying the key associated with the selected predetermined format to the
> formatter, wherein the information content data is distributable in one form or

medium for all audiences or receivers and which version is presented is controlled by entering an appropriate key corresponding to the version for a particular audience or receiver."

Applicant respectfully submits that neither Irdeto nor Moskowitz teach the features of claim 3. The Office Action cited page 31, lines 21 – 29 of Irdeto in rejecting claim 3. This section Irdeto recites:

> "The salting key 28 is optional, but it should be noted that the lack of a salting key 28 would lead to a complete breakdown of security in the event that multiple bit streams are encrypted with the same key 32. (If for example, audio and video are encrypted with the same product and session keys, then one or more salting keys 28 are used to prevent using the cipher in depth.) The value of the salting key 28 does not have to be secret."

Thus, Irdeto merely teaches the use of a salting key 28 for security purposes and that lack of a salting key would lead to a complete breakdown of security if multiple bit streams are encrypted with the same key. Applicant respectfully submits that this portion of Irdeto does not teach or suggest the features of the present invention as recited in claim 3 and claim 3 is patentable over Irdeto and Moskowitz.

Additionally, claims 2-7 and 9-14 depend either directly or indirectly from independent claim 1. Because of this dependency, these claims include all of the features of claim 1. Therefore, claims 2–7 and 9–14 are also respectfully submitted to be patentably distinguishable over Irdeto and Moskowitz for the same reasons as discussed with respect to independent claim 1. Reconsideration and withdrawal of the §103 rejection of claims 2–7 and 9–14 is respectfully solicited.

With regarding to the rejection of independent claims 21, 55, 73, and 132, these claims have been amended to recite similar features to claim 1. Therefore, claims 21, 55, 73 and 132 are respectfully submitted to be patentably distinguishable over Irdeto and Moskowitz for the same reasons as discussed with respect to claim 1. Reconsideration and withdrawal of the §103 rejection of claims 21, 55, 73 and 132 is respectfully requested.

With regard to the rejection of claims 22–27, 31–33, 76, 78-85, and 134–137, claims 22–27 and 31–33 depend either directly or indirectly from independent claim 21; claims 76 and 78-85 depend either directly or indirectly from independent claim 73; and claims 134–137 depend

either directly or indirectly from independent claim 132. Because of these dependencies, these claims include all of the features of the referenced independent claim and any intermediate claims. Accordingly, these claims are respectfully submitted to be patentably distinguishable over Irdeto and Moskowitz for the same reasons as discussed with respect to independent claims 21, 73, and 132. Reconsideration and withdrawal of the §103 rejection of claims 22–27, 31–33, 76, 78–85, and 134–137 is respectfully solicited.

Turning now to the rejection of claim 56 under Irdeto in view of Moskowitz, claim 56 has been rewritten in independent form and recites:

> "a formatter, wherein the formatter formats information content data into one of a plurality of predetermined formats, each predetermined format corresponding to a different version of the information content data for presentation to different receivers or audiences, each predetermined format being associated with a different key, wherein the formatting data is decryptable to provide a selected one of the predetermined formats when applied to the information content data in response to applying the key associated with the selected predetermined format to the formatter, wherein information content data is distributable in a single medium for all audiences or receivers and which version is presented is controlled by entering an appropriate key corresponding to the version for a particular audience or receiver..."

As previously discussed, Irdeto on page 19 teaches an encrypted access unit (AU) 3 as shown in Figures 4, 5A and 5B of Irdeto where an access unit is an individually accessible portion of data within an elementary stream. An elementary stream is a consecutive flow of mono–media data from a single source entity to a single destination entity on the compression layer as recited on page 19 of Irdeto lines 26 – 31. On page 23 at lines 26 and continuing on page 24, Irdeto recites:

> "Referring to Fig. 4 in particular, the content encryption system 1 reads an original access unit 10 from a machine readable medium. In this example, the original access unit 10 is separated into three sections, which are independently encrypted resulting in the encrypted access unit 3, comprising a first encrypted AU section 11, a second AU section 12 and a third encrypted AU section 13. A first Resync Marker 14 is added to the second encrypted AU section 12, separating it from the first encrypted AU section 11. A second Resync Marker 15 is added to the third encrypted AU section 13, separating it from the second encrypted AU section 12. A header 16 is prepended to the encrypted AU 3."

Applicant respectfully submits that there is no teaching or suggestion in Irdeto that the Access Unit 3 contains content data that may be formatted into one of a plurality of predetermined

formats where each predetermined format corresponds to a different version of the information content data for presentation to different receivers or audiences as provided by the embodiment of the present invention in amended claim 56.

The Office Action also cited page 31, lines 3–6 and lines 21–29 in rejecting claim 56. Applicant respectfully submits that these portions of Irdeto merely recite that one or more salting keys should be used if audio and video are encrypted with the same product and session keys. However, Irdeto does not teach or suggest the features of claim 56. Irdeto does not teach or suggest a formatter wherein the formatter formats the information content data into one of a plurality of predetermined formats each predetermined format corresponding to a different version of the information content data for presentation to different receivers or audiences. Irdeto also does not teach or suggest that each predetermined format is associated with a different key wherein the formatting data is decryptable to provide a selected one of the predetermined formats when applied to the information content data in response to applying the key with the selected predetermined format to the formatter. Irdeto further does not teach or suggest that the information content data is distributable in a single medium for all audiences or receivers and which version is presented is controlled by entering an appropriate key corresponding to the version for the particular audience or receiver. For all of these reasons, Applicant respectfully submits that independent claim 56, as amended, is patentable distinguishable over Irdeto and Moskowitz, and reconsideration and withdrawal of the 35 U.S.C. §103 rejection of claim 56 is respectfully requested.

With respect to the rejection of claims 57 and 58 under 35 U.S.C. §103(a) as being unpatentable over Irdeto in view of Moskowitz, claims 57 and 58 depend directly from independent claim 56. Because of this dependency, claims 57 and 58 include all of the features of independent claim 56. Therefore, claims 57 and 58 are also respectfully submitted to be patentably distinguishable over Irdeto and Moskowitz for the same reasons as discussed with respect to independent claim 56. Reconsideration and withdrawal of the §103 rejection of claims 57 and 58 is respectfully solicited.

Turning now to the rejection of independent claims 108 and 138 as being unpatentable over Irdeto in view of Moskowitz, these claims recite features similar to independent claim 56.

Accordingly, independent claims 108 and 138 are respectfully submitted to be patentably distinguishable over Irdeto and Moskowitz for the same reasons as discussed with respect to independent claim 56. Reconsideration and withdrawal of the §103 rejection of independent claims 108 and 138 is respectfully requested.

Turning now to the rejection of claims 109-110, 112–114 and 139–141, claims 109–110 and 112–114 depend either directly or indirectly from independent claim 108, and claims 139–141 depend either directly or indirectly from independent claim 138. Because of this dependency, these claims include all of the features of the referenced independent claim and any intervening claims. Accordingly, claims 109–110, 112-114 and 139–141 are respectfully submitted to be patentably distinguishable over Irdeto and Moskowitz for the same reasons as discussed with respect to independent claims 108 and 138.

Claims 15–20 and 86–89 were indicated on page 9 of the Office Action as being rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2004/0225891 to Irdeto in view of U.S. Patent 6,598,162 to Moskowitz and further in view of U.S. Patent Publication 2003/02295292 Mui et al. (hereinafter Mui). This rejection is respectfully traversed. U.S. Patent Publication 2004/0225891 is to Kang et al. Applicant assumes that the citation of U.S. Patent Publication 2004/0225891 is in error and the rejection is intended to be on the basis of Irdeto since claims 15–20 depend either directly or indirectly from independent claim 1 and claims 86–89 depend directly from independent claim 73. Because of these dependencies, claims 15–20 include all of the features of independent claim 1 and claims 86–89 include all of the features of independent claim 73. As described above, claims 1 and 73 are patentably distinguishable over Irdeto and Moskowitz. Applicant respectfully submits that Mui adds nothing to the teachings of Irdeto and Moskowitz so as to render independent claims 1 and 73 unpatentable. Therefore, claims 15–20 and 86–89 are also respectfully submitted to be patentably distinguishable over Irdeto, Moskowitz and Mui. Reconsideration and withdrawal of the §103 rejection of claims 15–20 and 86–89 is respectfully solicited.

Claims 77 and 111 were rejected under 35 U.S.C. §103(a) as being unpatentable over Irdeto in view of Moskowitz and further in view of U.S. Patent Publication No. 2002/0099947 to Evans. This rejection is respectfully traversed. Claim 77 depends indirectly from independent

claim 73 and claim 111 depends directly from independent claim 108. As previously discussed, independent claims 73 and 108 are patentably distinguishable over Irdeto and Moskowitz. Applicant respectfully submits that Evans adds nothing to the teachings of Irdeto and Moskowitz so as to render independent claims 73 and 108 unpatentable. Therefore, claims 77 and 111 are also respectfully submitted to be patentably distinguishable over the cited documents, and reconsideration and withdrawal of the §103 rejection of claims 77 and 111 is respectfully solicited.

Claims 28–30 were rejected under Irdeto in view of Moskowitz and in further view of U.S. Patent 5,815,809 to Ward (hereinafter Ward). This rejection is respectfully traversed. Claims 28–30 depend either directly or indirectly from independent claim 21. As previously discussed, independent claim 21 has been amended to distinguish over Irdeto and Moskowitz. Applicant respectfully submits that Ward adds nothing to the teachings of Irdeto and Moskowitz so as to render independent claim 21 unpatentable. Therefore, claims 28 – 30 are also respectfully submitted to be patentably distinguishable over Irdeto, Moskowitz and Ward, and reconsideration and withdrawal of the §103 rejection of claims 28 – 30 is respectfully requested.

Conclusion

For the foregoing reasons, the Applicant respectfully submits that all of the claims in the present application are in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of the claims at the earliest possible date are respectfully requested.

If the Examiner has any questions about the present Amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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